

<b>Title of item:</b>	<b>Review of lease restructuring with Hereford United (1939) Ltd</b>
<b>Date:</b>	<b>Wednesday 18 February 2015, 10.00am, Shire Hall</b>

### Scoping

#### Reason for enquiry

To examine what happened around the lease restructure in 2013/14 and identify any lessons learned overall and from recent events.

To understand the history of the relationship between HUFC (1939) Ltd and Herefordshire Council and its predecessors.

#### Links to strategy

N/A

#### Summary of review and terms of reference

##### Summary

- This is not a call-in. The meeting should focus on identification of the lessons learned and advice scrutiny would want to offer by way of recommendations to the executive in terms of the future approach.
- Cabinet considered a report on 22 January 2015 in relation to 'Hereford United Football Club (1939) Ltd (approval to seek new tenant at Edgar Street athletic ground, Hereford)', and agreed to invite expressions of interest for a short term lease in time to facilitate football at the ground in September 2015, in accordance with advice received from the Football Association. It was also agreed that a further report will be submitted to Cabinet on the longer term options for the site and for support for league football within the county.

##### Terms of reference

- The report will set out the history, the reasons for the lease restructure, the lessons learned from the process, and the interim arrangements currently being pursued; hyperlink to the Cabinet report of 22 January 2015:  
<http://councillors.herefordshire.gov.uk/documents/s50023300/Edgar%20St%20Athletic%20Ground%20-%20approval%20to%20seek%20new%20tenant%2022%20January%202015.pdf>
- The discussion will focus on the council's areas of responsibility.

#### What will NOT be included

- As the meeting will be focussed on the lessons learned, the meeting will not consider any allegations made against individuals.
- The options for the longer term will be subject to a further Cabinet report and broader consultation; the committee may wish to undertake more detailed scrutiny activity during 2015/16 to inform the development of this further report.

#### Potential outcomes

To

- identify any issues with the process followed during the restructure of the leases in 2013/14 that should be considered by Cabinet;
- identify any related matters that might need to be included in the GOSC work programme for 2015/16.

### **Key questions**

- Was the lease restructure robust and effective?
- What was the purpose of assigning development rights?
- What alternative options were considered and why were they not pursued?
- What is different about the interim short term lease arrangement?
- What can be done to ensure that leases are managed in the public interest in the future?
- Are there any additional provisions that need to be included in the leases?

### **Cabinet Member (s)**

- Councillor AW Johnson, Leader of the Council
- Councillor H Bramer, Cabinet Member Contracts and Assets

### **Key stakeholders / consultees to be invited to contribute**

- The Central Ward Member. However, it is recognised that there are broader city and county considerations.
- The Chairman of the Supporters' Group, for views about the lessons learned.
- The Football Association, to explain their policy position [if they cannot attend, written statement to be requested]
- The Chairman of Hereford United at the time of the lease restructure, David Keyte, to be provided with an opportunity to give the club's perspective on the renegotiation of the leases and the assignment process.
- Councillor NP Nenadich to be invited, as a former HUFC Board Member.

### **Potential witnesses**

- Geoff Hughes (Director of Economy, Communities and Corporate), supported by Tony Featherstone (Head of Corporate Asset Management).
- Donna Burgess (Deputy Solicitor to the Council, Property and Commercial).

### **Research required**

- Tony Featherstone / Donna Burgess to provide contact details for non-council based invitees.
- Invitees to be offered opportunity for pre-meeting discussion (Chairman / Vice-Chairman / scrutiny support officers) if considered helpful.

### **Potential visits**

- None at this stage but could inform future scrutiny activity in municipal year 2015/16.

### **Publicity Requirements**

- Intention to publish report on or before Tuesday 10 February 2015.